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Dockets Management System
U.S. Department of Transportation
PL 401
400 Seventh Street, SW
Washington, D.C. 20590-0001

Reference: Docket Number RSPA-99-6283

Request for Comments on Advance Notice of Proposed
Rulemaking, Hazardous Materials Regulations; Compatibility with
the Regulations of the International Atomic Energy Agency
64 Fed. Reg. 72633 (December 28, 1999) and 65 Fed. Reg. 11028
(March 1, 2000)

Transport Logistics International (TLI) appreciates the opportunity to provide comments on the Department's Advance Notice of Proposed Rulemaking on compatibility with International Atomic Energy Agency (IAEA) regulations, Docket Number RSPA-99-6283. TLI provides management services for domestic and international movements of radioactive cargoes, offering integrated service to the front and back end sectors of the nuclear fuel cycle, ensuring safe, secure and economic transport.

TLI is pleased to provide the following comments:

- We appreciate the Department's efforts to expeditiously harmonize 49 CFR with ST-1. As the vast majority of TLI's business involves shipments to, from or through the United States, compliance with international regulations is critical. We support near-term authorization to use ST-1 for international shipments, as planned through HM-215D, and urge the Department to finalize such authorization no later than November 2000.

- TLI is actively involved in Nuclear Energy Institute (NEI) activities related to the Advance Notice of Proposed Rulemaking. Please refer to NEI's comments dated June 29, 2000. Specific references to these comments are provided herein.
- Scope: TLI has no comments on the new scope of change in scope of the regulations. We endorse the NEI comments in this regard.
- Nuclide-Specific Thresholds: TLI recommends that the ST-1 A_1/A_2 values be adopted verbatim with one exception. We endorse the NEI request for extension of the exception applicable to Mo^{99} generators.
- Communication Change: TLI recommends adoption of the ST-1 communications changes, including use of SI units and the Criticality Safety Index. We concur with the NEI comments regarding the difficulty of labeling small packagings or packagings with rough surfaces and request further guidance from the Department on means of labeling other than use of paints or adhesive.
- Uranium Hexafluoride: With regard to the new performance and design requirements for packages containing UF_6 , TLI endorses the position taken by Working Group No. 2, "Issues Relating to ST-1 Requirements for Uranium Hexafluoride" at the March 6-10, 2000 IAEA Technical Committee Meeting to Identify Issues Relating to the Requirements of the Current Transport Regulations and to Develop Approaches to Guide the Revision of these Requirements (IAEA Document TC-1156).
- Low Specific Activity Materials and Surface Contaminated Objects: TLI urges the Department to adopt the ST-1 definition of contamination. We endorse the NEI comments in this regard.
- Type B and Fissile Material Package Requirements: The ST-1 requirements for air shipment of fissile materials are unclear. In this regard, TLI endorses the position taken by Working Group No. 3 at the March 6-10, 2000 IAEA Technical Committee Meeting to Identify Issues Relating to the Requirements of the Current Transport Regulations and to Develop Approaches to Guide the Revision of these Requirements (IAEA Document TC-1156). We specifically endorse the concept of a Guidance Note to clarify the requirements.

As ICAO will adopt ST-1 requirements during 2001, it is imperative that the DOT provide clear guidance regarding the requirements for obtaining U.S. Competent Authority Certificates pursuant to 49 CFR §173.471, §173.472, and §173.473 for air transport of fissile materials prior to formal harmonization of ST-1 and 49 CFR.

- Other Changes: TLI fully endorses the NEI comments regarding low dispersible materials, radiation protection programs and transitional arrangements.

We would be pleased to respond to any questions or comments you may have regarding these comments. Please do not hesitate to contact me at 301-421-4324.

Sincerely,
Melissa Mann
Director, Research & Consulting